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10 UNITED STATES MAGISTRATE COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN FRANCISCO DIVISION

13 UNITED STATES OF AMERICA,)	No. 3 05 70544 MAG
)	
14 Plaintiff,)	[PROPOSED] ORDER AND
)	STIPULATION FOR CONTINUANCE
15 v.)	FROM MAY 25, 2006 TO JUNE 1, 2006
)	AND EXCLUDING TIME FROM THE
16 CHRISTINE CARPENTER,)	SPEEDY TRIAL ACT CALCULATION
)	(18 U.S.C. § 3161(h)(8)(A)) AND
17 Defendant.)	WAIVING TIME LIMITS UNDER RULE
)	5.1

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19 With the agreement of the parties, and with the consent of the defendant, the Court enters
20 this order scheduling an arraignment or preliminary hearing date of June 1, 2006 at 9:30A.M.
21 before the duty magistrate judge, and documenting the defendant's waiver of the preliminary
22 hearing date under Federal Rule of Criminal Procedure 5.1 and the exclusion of time under the
23 Speedy Trial Act, 18 U.S.C. § 3161(b), from May 25, 2006 to June 1, 2006. The parties agree,
24 and the Court finds and holds, as follows:

- 25 1. The defendant has been released on her own recognizance.
- 26 2. The defendant agrees to an exclusion of time under the Speedy Trial Act, 18 U.S.C. §
- 27 3161(h)(8)(B)(iv) to provide continuity of counsel and reasonable time necessary for effective
- 28 preparation, taking into account the exercise of due diligence.

3. The defendant waives the time limits of Federal Rule of Criminal Procedure 5.1 for preliminary hearing.

4. Counsel for the defense believes that postponing the preliminary hearing is in his client's best interest, and that it is not in his client's interest for the United States to indict the case during the normal 20-day timeline established in Rule 5.1.

5. The Court finds that, taking into the account the public interest in the prompt disposition of criminal cases, these grounds are good cause for extending the time limits for a preliminary hearing under Federal Rule of Criminal Procedure 5.1. Given these circumstances, the Court finds that the ends of justice served by excluding the period from May 25, 2006 to June 1, 2006, outweigh the best interest of the public and the defendant in a speedy trial. § 3161(h)(8)(A).

6. Accordingly, and with the consent of the defendant, the Court (1) sets a preliminary hearing date before the duty magistrate judge on June 1, 2006 at 9:30A.M., and (2) orders that the period from May 25, 2006 to June 1, 2006 be excluded from the time period for preliminary hearings under Federal Rule of Criminal Procedure 5.1 and from Speedy Trial Act calculations under 18 U.S.C. § 3161(h)(8)(A) & (B)(iv).

IT IS SO STIPULATED:

DATED: May 24, 2006

/s
RON TYLER
Attorney for Defendant

DATED: May 23, 2006

/s
ROBERT DAVID REES
Assistant United States Attorney

IT IS SO ORDERED.

DATED: May 25, 2006

HON. ELIZABETH D. LAPORTE
United States Magistrate Judge

